

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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|-----------------------|---|-------------------------|
| In re:                | : | Chapter 11              |
|                       | : |                         |
| GENEVER HOLDINGS LLC, | : | Case No. 20-12411 (JLG) |
|                       | : |                         |
| Debtor.               | : |                         |
|                       | : |                         |

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**[PROPOSED] ORDER GRANTING MOTION OF  
PACIFIC ALLIANCE ASIA OPPORTUNITY FUND L.P.  
TO MODIFY THE AUTOMATIC STAY TO PROCEED WITH STATE  
COURT ACTION, AND RELATED RELIEF**

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This matter comes before the Court on the Motion of Pacific Alliance Asia Opportunity Fund L.P. (“PAX”) to Modify the Automatic Stay to Proceed with State Court Action and Related Relief (the “Motion”); the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and notices of the Motion being sufficient under the circumstances; cause having been shown for the relief requested in the Motion:

IT IS HEREBY ORDERED that:

1. The Motion is GRANTED as set forth herein.
2. Unless otherwise noted in this Order, all undefined capitalized terms appearing in this Order shall have the meaning(s) ascribed to such terms as set forth in the Motion.
3. The automatic stay shall be and is modified pursuant to 11 U.S.C. § 362(d)(1) to allow PAX to prosecute, and the Debtor to defend, the New York State Court lawsuit, Case No. 652077/2017 currently pending before Justice Barry R. Ostrager (the “State Court Action”), with the stay to otherwise remain in place for all other purposes, including relating to enforcement or

collection of any judgment entered against the Debtor in the State Court Action, pending further order of the Bankruptcy Court upon further notice to all parties.

4. Nothing in this Order prevents PAX from seeking additional stay relief in the future to enforce any orders issued in the State Court Action, or otherwise.

5. This Court shall retain exclusive jurisdiction to enforce the terms of this Order.

Dated: \_\_\_\_\_, 2020  
New York, New York

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HONORABLE JAMES L. GARRITY JR.  
UNITED STATES BANKRUPTCY JUDGE